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Message Text

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PAGE 01 STATE 045355

67
ORIGIN IO-11

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66011
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O 251820Z FEB 76
FM SECSTATE WASHDC
TO USMISSION NATO IMMEDIATE

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FOLLOWING IS REPEAT GENEVA 1297, SENT SECSTATE, INFO ANKARA, BONN, LONDON, USUN, OTTAWA, PARIS, ROME, VIENNA, MOSCOW 23 FEB 76:

QUOTE LIMITED OFFICIAL USE GENEVA 1297

EO 11652: N/A
TAGS: SHUM, UN, UNHRC
SUBJECT: HUMAN RIGHTS COMMISSION (HRC) - RESOLUTION ON CSCE

1. US FORMALLY INTRODUCED US DRAFT RES ON CSCE. FRANCE, FRG AND CANADA HAVE ALREADY JOINTED AS CO-SPONSORS; UK AND ITALY EXPECTED TO JOIN IF SOVIETS REJECT WESTERN AMENDMENTS TO SOVIET RES ON DETENTE. TEXT OF INTRODUCTORY STATEMENT WILL BE REPEATED AT END OF THIS MESSAGE.

2. CONSIDERATION ON THIS ITEM NOW ENTERING STAGE OF MAXIMUM CONFUSION. AFTER UK AND ITALY INTRODUCED THEIR AMENDMENTS BY SHARPLY CRITICIZING SOVIET TEXT. SOVIET REP ZORIN REPLIED VEHEMENTLY TO THESE COMMENTS WITH ALL THE DISTORTED QUOTATIONS FROM UN CHARTER AND CONTORTED LOGIC THAT THIS OLD LINE SOVIET PROSECUTING ATTORNEY COULD MUSTER. ANOTHER UNHELPFUL DEVELOPMENT IS THAT CUBA AND YUGOSLAVIA HAVE TAKEN ON THE BURDEN FOR NONALIGHED OF PRODUCING A QUOTE COMPROMISE
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END QUOTE VERSION OF THE SOVIET DRAFT WITH UK/ITALIAN AMENDMENTS.

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NONALIGNED VERSION SHOULD SURFACE FEB 24, AND THEN PROBLEM WILL
AGAIN ARISE OF MAINTAINING WESTERN SOLITARY.

3. ADDRESSEES WILL BE KEPT INFORMED OF FUTURE DEVELOPMENTS.

4. TEXT OF STATE INTRODUCING RESOLUTION ON CSCE FOLLOWS:
BEGIN TEXT:

STATEMENT INTROCUING A RESOLUTION
AFFIRMING HUMAN RIGHTS PROVISION OF THE HELSINKI DECLARATION
BY LEONARD GARMENT
UNITED STATES REP
HUMAN RIGHTS COMMISSION

FEB 23, 1976

MR CHAIRMAN,

I WILL INTRODUCE THE PROPOSED RES IN E/CN.4/L.1325 BY FIRST
STATING WHAT IT IS NOT. IT IS NOT A RES THAT SEEKS SUPPORT FOR THE
POSITION THAT HUMAN RIGHTS EXIST ONLY AS AN AFTERTHOUGHT TO THE
SATISFACTION OF A GOVERNMENT'S POLITICS. IT IS NOT A RES THAT ACCORDS
PRIMACY TO ONE HUMAN RIGHT OVER ALL OTHERS. IT OFFERS NO SUGGESTION
OF ACQUIESCENCE OR INDIFFERENCE TO VIOLATIONS OF HUMAN RIGHTS SO LONG
AS PEACE IS MAINTAINED. INDEED, IT POSES NO SUCH FALSE CHOICE
BETWEEN THE FACT OF EXISTENCE AND THE QUALITY OF LIFE. IT
MAKES NO ASSUMPTION THAT IT IS BETTER TO BE ALIVE UNDER ANY
CIRCUMSTANCES, HOWEVER DEGRADING THAT LIFE MAY BE. IT IS BASED ON
THE BELIEF THAT IT IS WORSE THAN BANAL TO SAY THAT WITHOUT
LIFE THERE ARE NO HUMAN RIGHTS. THAT IS AN UNTRUTH. MEN AND
WOMEN THROUGHOUT HISTORY HAVE CHOSEN TO DIE -- HAVE EXERCISED THEIR
ULTIMATE RIGHT OF CHOICE -- RATHER THAN SACRIFICE THE FREEDOM
TO SHAPE THEIR INDIVIDUAL LIVES AND THEIR PEOPLE'S DESTINIES. IF WE
WERE HERE AND NOW TO RESOLVE THAT THE RIGHT TO LIVE IS THE "RIGHT
OF RIGHTS" WE WOULD SOON ENOUGH LEARN TO ACCOMODATE ANY BARBARITY.

THE RES WE ARE PRESENTING IS SIMPLE, STRAIGHTFORWARD AND
ESSENTIALLY DECLARATORY OF A RECENT EVENT THAT HAS POTENTIALLY
VALUABLE HUMAN RIGHTS CONSEQUENCES.

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I WOULD LIKE TO ADDRESS ONE THOUGHT ON THIS RES TO MY COLLEAGUES
ON THE COMMISSION WHOSE GOVERNMENTS WERE NOT SIGNATORIES TO THE
HELSINKI PACT. A CAREFUL READING OF THE RES WILL REASSURE YOU THAT
IF DOES NOT CARRY WITH IT ANY ATTEMPT TO ARBITRATE RELATIONSHIPS
BETWEEN STATES WITH DIFFERENT ECONOMIC AND POLITICAL SYSTEMS. IT
DOES NOT SEEK THE SLIGHTEST ADVANTAGE FOR ONE POLITICAL BLOC
OVER ANOTHER. IT CAN BE ACCEPTED BY EVERY MEMBER OF THE
COMMISSION WITHOUT A PATCHWORK OF AMENDMENTS TO BALANCE COMPETING

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INTERESTS. IT DOES NOT CONCERN ITSELF WITH ANYTHING BUT THE HUMAN RIGHTS PROVISIONS OF WHAT IS ADMITTEDLY A COMPLEX DOCUMENT AND ONE WHOSE IMMEDIATE RELEVANCE IS TO ITS STATES PARTIES. BUT SINCE IT IS A BALANCED DOCUMENT OF SUCH POTENTIAL IMPORTANCE, AND ONE THAT INCLUDES SUCH CAREFULLY NEGOTIATED PRIVISIONS ON HUMAN RIGHTS, WE BELIEVE THOSE PROVISIONS SHOULD HAVE THE OFFICIAL ATTENTION OF THIS BODY.

END TEXT. BRUNGART
UNQUOTE. KISSINGER

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